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Konu : FONASBA COVID-19 Bültenleri Hk.

20/03/2020

Sirküler No :330

Sayın Üyemiz,

İlgi : a) FONASBA'nın 18.03.2020 tarihli ve 01 sayılı COVID-19 bülteni.
b) FONASBA'nın 19.03.2020 tarihli ve 02 sayılı COVID-19 bülteni.

Avrupa Birliği'nin(AB), sınır yönetimi prosedürleri, COVID-19'un önlenmesi ve yönetimi için kritik öneme sahip kişisel koruyucu ekipmanların ihracatını kapsayan AB İhracat Kontrolleri Uygulama Mevzuatı ile Avrupa Birliği, Mısır, Güney Kıbrıs, Avusturalya, Almanya, Macaristan, Avusturya, Sırbistan, Bulgaristan, Romanya, Kenya ve Fas idarelerinin COVID-19 sürecinde uyguladıkları kısıtlamalar ve getirdikleri sağlık tedbirlerine yönelik bilgileri içeren ilgi (a) ve (b) ile Odamıza gönderilen FONASBA(The Federation of National Associations of Ship Brokers and Agents) bültenleri Ek'te sunulmuştur.

Bilgilerinize arz ve rica ederim.

Saygılarımla,

e-imza
İsmet SALİHOĞLU
Genel Sekreter

Ek:

- 1- İlgi (a) ve (b) Yazı Türkçe Tercümesi (4 sayfa)
- 2- İlgi (a) yazı (2 sayfa)
- 3- İlgi (b) yazı (3 sayfa)
- 4- Avrupa Birliği İhracat Kontrolleri Uygulama Mevzuatı 2020-402 (7 sayfa)
- 5- Avrupa Birliği COVID-19 Sınır Yönetimi Rehberi (6 sayfa)
- 6- Kenya-Mombasa COVID-19 Rehberi (1 sayfa)

Dağıtım:**Gereği:**

- Tüm Üyeler (WEB sayfası ve e-posta ile)
- Türk Armatörler Birliği
- S.S. Gemi Armatörleri Mot. Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- İMEAK DTO Meslek Komite Bşk.
- İMEAK DTO Şubeleri ve Temsilcilikleri
- GİSBİR
- Yalova Altınova Tersane Gir. San. ve Tic. A.Ş.
- TÜRKLİM

Bilgi:

- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkan ve Üyeleri
- İMEAK DTO Çevre Komisyonu



Bu belge, 5070 sayılı Elektronik İmza Kanuna göre Güvenli Elektronik İmza ile İmzalanmıştır.

Evrakı Doğrulamak İçin : <https://ebys.denizticaretodasi.org.tr/enVision/Dogrula/L553DS>

Bilgi için: Alper Mergen Telefon: 0212 252 01 30/246 E-Posta: alper.mergen@denizticaretodasi.org.tr

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ISTANBUL & MARMARA, AEGEAN, MEDITERRANEAN, BLACKSEA REGIONS

DENİZ TİCARET ODASI



CHAMBER OF SHIPPING

- KOSDER
- Gemi Sahibi Firmalar
- Marinalar



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FONASBA COVID-19 BÜLTENİ

Ticari Denizcilik Faaliyetleri ile COVID-19 Yayılmasını Önlemek İçin Alınan Önlemler Hakkındaki Güncelleme (No.1 – 18.03.2020)

COVID-19'a yönelik önlemler denetiminin yayınlanmasının ardından, üye birliklerden 18 Nisan 2020 tarihine kadar uygulanacak aşağıdaki güncel bilgiler alınmıştır.

Avrupa Birliği

Avrupa Birliği, sınır yönetimi prosedürleri ile COVID-19'un önlenmesi ve yönetimi için kritik öneme sahip kişisel koruyucu ekipmanların ihracatını kapsayan İhracat Kontrolleri Uygulama Mevzuatı hakkında güncelleme yapılmış ve bir rehber yayınlamış olup, her iki rehber de ekte yer almaktadır. Belçika da bahse konu rehberleri yayınlamıştır.

Almanya

Mevcut durumda tüm limanlar açık olup sadece kargo işlemleri gerçekleştirilerek çalışmaya devam etmektedir. Tüm yolcu trafiği (feribot ve kruvaziyer) sonlandırılmıştır. Genel olarak, Avrupa Birliği (AB) üyesi olmayan vatandaşların karaya çıkması yasaktır. AB üyesi olmayan vatandaşlar için de personel değişiklikleri hala mümkün olmakla beraber uçuş bağlantısının iptal edilmesi nedeniyle zorluklar yaşanmaktadır.

Almanya'daki limanlara giriş yapacak gemide şüpheli bir vaka bulunması halinde, geminin limana varışından önce liman sağlık yetkililerine başvurması gerekmektedir. Uzmanlar, önlemler hakkında bilgilendirme yapacaktır. Almanya limanlarındaki sağlık idarelerinin iletişim bilgileri aşağıda yer alan Hamburg şehri web sitesinde bulunmaktadır.

<https://www.hamburg.de/bgv/akkue-hafenaerztliche-dienste/>

Genel olarak koronavirüs hakkında güncel ve ayrıntılı bilgiler, hastalık kontrol ve önleme konusunda Almanya'nın merkezi kurumu olan Robert Koch Enstitüsü'nün web sitesinde yer almaktadır. (https://www.rki.de/DE/Home/homepage_node.html)

Ayrıca, Almanca ve İngilizce dillerinde bilgilerin mevcut olduğu <https://www.deutsche-flagge.de/de> sitesi de incelenebilir.

Macaristan ile Avusturya, Sırbistan, Bulgaristan ve Romanya

Yolcu gemilerinin işletilmesi, Macaristan, Avusturya, Sırbistan, Bulgaristan ve Romanya limanlarında yasaklanmıştır. Bu gemilerin sınırları geçmeleri, personele ulaşılması veya personel değiştirilmesi yasaklanmıştır. (Personel aynı ülkenin vatandaşı değilse, ayrılıştan sonra en az 14 gün evde kalmaları gerekmektedir.)

Macaristan'a giriş ve çıkış sadece Macar vatandaşları tarafından yapılmaktadır.

Kargo gemilerine dair herhangi bir yasaklama bulunmamaktadır. Ancak Gemi Kaptanları gemideki hastalık/yükse ateş durumlarını rapor etmek zorundadır.

Köstence'de (Romanya) İtalya'dan gelen herhangi bir geminin İtalyan limanından ayrıldıktan sonra 14 gün boyunca karantinaya girmesi gerekmektedir.

Kenya

Mombasa Limanı tarafından Ek'te bulunan güncellenmiş rehber yayınlanmıştır. Ayrıca Göç Dairesi, bir sonraki bildirim kadar Kilindini'de kıyı geçişlerinin yapılmayacağını bildirmiştir.

Fas

Koronavirüs salgınının son gelişmelerine müteakip Fas makamları tarafından kararlaştırılan en son önlemler aşağıda yer almaktadır.

- Tüm yolcu gemileri, feribotlar ve kruvaziyer hatları askıya alınmıştır.
- Yabancı ülkelere yapılan tüm uluslararası uçuşlar askıya alınmıştır.
- Ticari gemilerdeki yabancı personelin karaya inmesine izin verilmemektedir.
- Geminin belgelerinin idarelere ve özel liman idarelerine iletilmesi elektronik liman platformu veya internet üzerinden yapılmaktadır.
- Bir sağlık denetçisi serbest pratika vermeden önce gemiye çıkarak gemi personelinin hastalık belirtilerini veya ateşinin olup olmadığını kontrol ettikten sonra gemiye çalışma izni verilmektedir.

Ticari Denizcilik Faaliyetleri ile COVID-19 Yayılmasını Önlemek İçin Alınan Önlemler Hakkındaki Güncelleme (No.2 – 19.03.2020)

Avustralya

Avustralya Hükümeti, diğer ülke vatandaşlarının, varıştan itibaren 14 gün boyunca kendilerini izole etmelerini gerektiren tedbirler getirmiştir. Ayrıca gemi personelinin, son limandan ayrıldıktan sonra en az 14 gün gemide kalması gerekmektedir. Bunun yanı sıra, Avustralya hükümeti deniz emniyeti idaresi Maritime Safety Queensland ile bazı liman idareleri daha sıkı tedbirler alarak, bir geminin veya gemideki herhangi bir kişinin son 14 gün içerisinde başka bir ülkede bulunması durumunda bahse konu geminin kıyılarına yanaşmasına izin vermemektedir. Batı Avustralya'daki Albany, Bunbury ve Esperance liman idaresi Southern Ports, denizaşırı bir limandan ayrılan gemilerin 14 gün boyunca girişini yasaklarken, Yeni Güney Galler Liman İdaresi, bazı yurtdışı limanlarından gelen gemilere yanaşma ve işletme sınırlamaları uygulamaktadır.

Avustralya'ya yapılan uluslararası deniz ticaretinin önemi ve komşu ülkelerden gelen kısa transit süreleri göz önüne alındığında, bu önlemler tepki uyandırmıştır.

[\(https://shippingaustralia.com.au/banning-cargo-ships-during-covid-19-outbreak-poses-risk-of-severe-harm-to-australians/\)](https://shippingaustralia.com.au/banning-cargo-ships-during-covid-19-outbreak-poses-risk-of-severe-harm-to-australians/)

Güney Kıbrıs

Güney Kıbrıs Liman Başkanlığı tarafından uygulanan kısıtlayıcı tedbirlere göre, mevcut durumda kesin olarak Güney Kıbrıs limanlarında aşağıdaki önlemler uygulanmaktadır:

- 15 Mart 2020 tarihinden itibaren 15 gün boyunca yolcuların kruvaziyer gemilerinden inmesi yasaklanmıştır.
- Geminin türüne bakılmaksızın limanlarda ya da açıkta herhangi bir personel değişikliği yapılması ya da gemiye personel katılması yasaklanmıştır.
- Personelin gemiden ayrılarak yapması gereken denetimler söz konusu olduğunda, aşağıdaki koşullar yerine getirildiğinde izin verilmektedir:
 - Personelden sadece bir kişi gemiden ayrılabilir.
 - Denetim süresi kısa olmalıdır,
 - Sorumlu acente, faaliyet gösterecek personeli çıkarması için İşletmecileri ve süreç tamamlanana kadar izlemesi için Limanlar ve Deniz Polisi'ni konu hakkında bilgilendirmelidir.
- Askeri Gemiler: Notam Verbatim'den sonra limana girişe izin verilmektedir ancak mürettebatın inmesi yasaklanmıştır.
- UNIFIL: Liman kıyı tesislerinde bulunan Lübnan Geçici Birleşmiş Milletler Gücü (United Nations Interim Force in Lebanon-UNIFIL) mensuplarına herhangi bir kısıtlama getirilmemiş olup, UNIFIL gemi mürettebatının karaya çıkmaları ve ülkenin iç bölgelerine girişleri yasaklanmıştır.
- Limanda ya da demirleme bölgesinde, gemide bulunan personel veya yolcu ile ilgili acil sağlık durumlarında istisnai olarak denizcilik acenteleri, Sağlık Hizmetleri onayı sonrasında bahse konu hastanın taşınması ve tedavi sürecini yürütebilecektir.

- Gemi personeli ile iletişimde bulunulmadan kargo operasyonlarının yürütülmesi haricinde kişilerin herhangi bir nedenle gemilere girmesine izin verilmemektedir. Gemilere binmesine izin verilenler:
 - Yükleme görevlileri / United Stevedoring Şirketleri personeli,
 - Halat bağlama-çözme personeli,
 - Sörveyörler (Gemiye binmelerine sadece denetleme faaliyetlerini yürütmek için izin verilmektedir. İdari görevler uzaktan gerçekleştirilmelidir.),
 - İlgili acente tarafından DP World Limassol'e yazılı olarak geminin bulunduğu yerin bildirilmesinin ardından gemi personelinin izole edilmesinden sonra gemiye binilmeye izin verilmektedir.
- Terminalde aktif olan özel kuruluşlarının, Sağlık Bakanlığı'nın yönergelerine tam olarak uymaları kaydıyla faaliyet göstermesine izin verilmektedir.
- Limana giren herkesin kesinlikle Tıbbi Hizmetler talimatlarına uyması gerekmektedir.
- Bahse konu tedbirlerin etkili bir şekilde uygulanması Liman ve Deniz Polisi ile Göçmen Bürosu sorumluluğundadır.

Yukarıda belirtilen tüm önlemler 16.03.2020 tarihi itibarıyla yürürlüğe girmiştir.

Mısır

- Tüm limanlar hala açık olup gemiler çalışmaktadır (Bu bültenin yayınlanma tarihi itibarıyla).
- Herhangi bir işleme başlamadan önce tüm ithal kargo ve konteynerler, karantina yetkilileri tarafından sağlık açısından uygun hale getirilmektedir.
- Mısır limanlarına yanaşan gemiler kontrol edilmektedir. Herhangi bir enfeksiyon bulunması durumunda, gemi ve personeli 14 gün boyunca karantinada tutularak hastaların hastaneye sevki gerçekleştirilmektedir.
- Gemiler Mısır limanlarına girmeden önce, personel ve yolcu listesini, giriş yaptığı son 10 limanı, narkotik listesini, Deniz Sağlık Beyan formunu ve aşı listesini ibraz etmelidir.
- Mevcut durumda COVID-19'un Mısır'daki denizcilik sektörü üzerindeki etkisi düşük seviyededir.

Avrupa Birliği

Hırvatistan Cumhurbaşkanlığı, COVID-19'un etkisini hafifletmek için alınacak önlemleri görüşmek üzere 18 Mart 2020 tarihinde AB Ulaştırma Bakanları video konferansı düzenlemiştir.

FONASBA COVID-19 BULLETIN



AN UPDATE ON MEASURES BEING TAKEN TO PREVENT THE SPREAD OF COVID-19 BY MERCHANT SHIPPING – No. 1 18.03.2020

Following the circulation of the COVID-19 measures survey, the following updates have been received from member associations as at close of business on Wednesday, 18th April 2020. Further Bulletins will follow as we receive information from members.

European Union	The European Union has issued updated guidance on border management procedures as well as an Export Controls Implementing Act covering the export of personal protective equipment critical to the prevention and management of COVID-19. Copies of both are attached. Thanks to Belgium for passing same on.
Germany	<p>At the moment all ports are still open and working but this is limited to cargo. All passenger traffic (ferry and cruises) have been terminated. In general it is forbidden for non-EU citizens to disembark. Crew changes, also for non-EU citizens, are still possible, although they will become difficult due to flight connection being cancelled.</p> <p>If there is a suspected case on board a ship calling at a German port, the ship has to contact the port health authorities prior to the arrival. Their experts will inform you about further measures. The contact data for the port health authorities in German ports are listed on the website of the city of Hamburg. https://www.hamburg.de/bgv/akkue-hafenaerztliche-dienste/</p> <p>Current and detailed information about the Corona virus in general is given on the website of the Robert Koch Institute, the central institution in Germany regarding disease control and prevention https://www.rki.de/DE/Home/homepage_node.html</p> <p>Please check also www.deutsche-flagge.de, where information is available in German and English</p>
Hungary (Also: Austria, Serbia, Bulgaria, Romania)	<p>Passenger vessels are banned in Hungarian, Austrian, Serbian, Bulgarian or Romanian ports. They cannot cross borders, and cannot go alongside or change crew (unless the crew are nationals of the same country, but they must stay at home for a minimum of 14 days after off-signing).</p> <p>Entering and leaving Hungary is now only possible for Hungarian citizens.</p> <p>There is no ban on cargo shipments so far, but the master must report any illness/ fever on board.</p> <p>In Constanta (Romania) any vessel arriving from Italy is required to go into quarantine for a period of 14 days after leaving the Italian port.</p>

Kenya	Updated guidance has been issued by the Port of Mombasa, as attached. In addition the Department of Immigration has advised that until further notice, shore passes will no longer be issued at Kilindini.
Morocco	<p>The latest measures decided by the Moroccan authorities, following the latest development of the spread of CORONAVIRUS are as follows.</p> <ul style="list-style-type: none"> • All passengers vessels, ferrys and cruise lines have been suspended. • All international flights with foreign countries have been suspended. • Foreign crew aboard merchant ships are no longer allowed to disembark to the dock. • The transmission of the ship's documents to administrations and private port organizations must be done via the electronic port platform or via the Internet. • A sanitary inspector, must board first, to check if any illness or fever with ship's crew before giving free practice, and allow the ship to operate.

FONASBA COVID-19 BULLETIN



AN UPDATE ON MEASURES BEING TAKEN TO PREVENT THE SPREAD OF COVID-19 BY MERCHANT SHIPPING – No. 2 19.03.2020

Further updates on COVID-19 precautions have been received from members as summarized below. As always, please contact the relevant association for more guidance.

Australia	<p>The Australian Government has introduced measures that require citizens of other countries to go into self-isolation for 14 days from arrival. Furthermore ships crews must remain on board the vessel until a minimum of 14 days have elapsed since leaving the last port. Unfortunately however, a number of port authorities have gone further, with Maritime Safety Queensland preventing any vessel from berthing if it, or any person on board, has been in any other country for the last 14 days. Southern Ports, the port authority for Albany, Bunbury and Esperance in Western Australia, has also banned ships for 14 days since leaving an overseas port, whilst the Port Authority of New South Wales has applied berthing and operational limitations on some ships arriving from certain overseas ports.</p> <p>Given the significance of international maritime trade to Australia, and the short transit times from neighbouring countries, these measures have provoked a strong response from Shipping Australia, which can be found at: https://shippingaustralia.com.au/banning-cargo-ships-during-covid-19-outbreak-poses-risk-of-severe-harm-to-australians/</p>
Cyprus	<p>As per the restrictive measures that had been imposed by Cyprus Ports Authority the following measures are currently applied strictly at the ports of Cyprus:</p> <ul style="list-style-type: none">• Disembarkation of passengers from cruise vessels is prohibited from 15 March 2020 and for 15 days.• Any crew change or crew disembarkation either in or out of port irrespective of type of vessel is prohibited.• In case that vessel crew needs to conduct inspections that require its members to disembark, this is only allowed given that:<ul style="list-style-type: none">o Only one member of vessel crew will disembark;o Inspection will be short in time; ando Corresponding agent has already notified accordingly the Operators in order to remove staff operating at the vicinity and Ports & Marine Police in order its members to monitor the process until its completion.

	<ul style="list-style-type: none"> • Navy vessel: Entry to port is allowed following Notam Verbatim but disembarkation of crews is prohibited. • UNIFIL: No restriction of members of administration members that are based at the shore facilities of the port. As for the crew members of UNIFIL vessels their disembarkation is prohibited as well as their entry to inland of the country. • In case of medical emergency incident regarding passenger or crew member on board vessel, either at anchorage area or in the port, shipping agents exceptionally and only due to the medical incident will be eligible to proceed to the appropriate arrangements only following consultation with Medical Services that will take over the transportation and treatment of patient. • No one is allowed to embark on any vessel for any reason apart of conducting activities related to cargo operations and by without having any interaction with crew members. Specifically, entities allowed to embark vessels are the following: <ul style="list-style-type: none"> o Stevedores / United Stevedoring Company's staff o Lashers / Un-lashers o Surveyors (embarkation allowed only for conducting operations monitoring activities – administrative tasks must take place remotely) o In these cases, embarkation is only allowed following isolation of crew at the accommodation of the vessel declared in writing to DP World Limassol by corresponding agent • Private entities active at terminal are allowed to operate given that they fully abide to the guidelines of Ministry of Health. • Anyone entering port for work must abide strictly to the guidelines of the Medical Services • The responsibility for the strict implementation of the measures is carried by the Port & Marine Police and the Immigration Service. <p>The above measures are effective as from 16.03.2020.</p>
Egypt	<ul style="list-style-type: none"> • All ports are still open and working (till now) for all vessels. • Sanitation of all the import cargo and containers by quarantine authorities before starting any operation. • Checking vessels once berthed to the Egyptian ports, if any infection found, the vessel and crew to be quarantined for 14 days without any operation, & patients to be transferred to the hospital. • Prior to the vessel's entry to the Egyptian ports, it should provide:

	<p>Crew list, Passenger list (tourism), Last 10 port of call list, Narcotics list, Maritime declaration of health, Vaccination list.</p> <p>So far, the effect on the shipping industry in Egypt is still minimal.</p>
European Union	<p>The Croatian Presidency convened a video conference of EU Transport Ministers on 18th March to discuss measures to mitigate the impact of COVID-19. The announcement that followed can be read here. Thanks are due to Jesper Sebbelin of the Danish association for this update.</p>

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/402

of 14 March 2020

making the exportation of certain products subject to the production of an export authorisation

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2015/479 of the European Parliament and of the Council of 11 March 2015 on common rules for exports ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) Since the outbreak of the epidemiological crisis caused by the coronavirus SARS-CoV-2, the disease associated with it, the COVID-19, has been spreading fast across the world, reaching also the Union's territory. According to the European Centre for Disease Prevention and Control, the risk associated with COVID-19 infections for people in the Union is currently considered to be moderate to high, based on the probability of transmission and the impact of the disease. The virus spreads rapidly within the Union, and might have an enormous public health impact with substantial fatal outcomes in high-risk groups and significant economic and societal disruption.
- (2) In this context, the need for personal protective equipment, as detailed in Annex 1, has already increased significantly. Given its nature and the prevailing circumstances, such type of equipment is an essential product since it is necessary to prevent the further spreading of the disease, and safeguard the health of medical staff treating infected patients.
- (3) In line with Council Conclusions of the Health Ministers Council on 13 February 2020, a procurement procedure for personal protective equipment has been launched under the Joint Procurement Agreement for medical countermeasures. According to an indicative time-line and depending on the market situation, it might be finalized as of beginning of April.
- (4) The demand for medical protective equipment has been exacerbated in the last days and is expected to continue increasing significantly in the imminent future with accompanying shortages developing in several Member States. Constraints exist throughout the EU single market to meet customers demand for the relevant Personal Protective Equipment, in particular mouth protection masks. At this moment in time, there are on-going efforts to increase manufacturing capabilities. This may feed into review of the measure as necessary and as situation evolves.
- (5) Production of personal protective equipment such as mouth protection masks in the Union is currently concentrated in a limited number of Member States, namely the Czech Republic, France, Germany, and Poland. Despite the fact that increased production has been encouraged, the current level of Union production and existing stocks will not be sufficient to meet the demand within the Union. This is particularly the case as this demand rises as a result of the epidemic situation and the personal protective equipment can be exported without restriction to other parts of the world.

⁽¹⁾ OJ L 83, 27.3.2015, p. 34.

- (6) Some third countries have already officially decided to restrict exports of protective equipment. Others seem to have taken similar actions on a more informal basis. Some of these countries are also traditional suppliers to the Union market and this is further exerting pressure on the Union market.
- (7) In order to remedy and prevent a critical situation, it is in the Union interest that the Commission takes an immediate action of a limited duration in order to ensure that exports of personal protective equipment are subject to an authorisation in order to ensure adequacy of supply in the Union in order to meet the vital demand.
- (8) Exports of certain quantities of specific products may be authorised under specific circumstances such as to ensure assistance provided to third countries, and depending on the needs of the Member States. The administrative modalities for these authorisations should be left to the discretion of the Member States during the time of these temporary measures.
- (9) There are vital needs of protective equipment within the Union with regard to hospitals, patients, field workers, civil protection authorities. Such vital needs are constantly monitored through the Union civil protection mechanism.
- (10) Whereas this measure at present applies to personal protective equipment, as detailed in Annex 1, a need may arise to review the scope of the Annex and products covered by this Regulation.
- (11) Due to the urgency of the situation, justified by the fast spreading of the COVID-19 infection, the measures provided for in this Regulation should be taken in accordance with Article 3(3) of Regulation (EU) 2015/479.
- (12) In order to prevent speculative depletion of stocks, this implementing Regulation should enter into force on the day of its publication. In accordance with Article 5(5) of Regulation (EU) 2015/479, these measures should have a duration of six weeks,

HAS ADOPTED THIS REGULATION:

Article 1

Export authorisation

1. An export authorisation established in accordance with the form set out in Annex II shall be required for the export outside the Union of personal protective equipment listed in Annex I, whether or not originating in the Union. Such authorisation shall be granted by the competent authorities of the Member State where the exporter is established and shall be issued in writing or by electronic means.
2. Without the production of such export authorisation, the exportation is prohibited.

Article 2

Procedural aspects

1. If the protective equipment is located in one or more Member States other than the one where the application for export authorisation has been made, that fact shall be indicated in the application. The competent authorities of the Member State to which the application for export authorisation has been made shall immediately consult the competent authorities of the Member State or States in question and provide the relevant information. The Member State or States consulted shall make known within 10 working days any objections it or they may have to the granting of such an authorisation, which shall bind the Member State in which the application has been made.
2. Member States shall process applications for export authorisations within a period of time to be determined by national law or practice, which shall not exceed 5 working days, from the date on which all required information has been provided to the competent authorities. Under exceptional circumstances and for duly justified reasons, that period may be extended by a further period of 5 working days.

3. In deciding whether to grant an export authorisation under this Regulation, Member States shall take into account all relevant considerations including, where appropriate, whether the export serves, inter alia:

- to fulfil supply obligations under a joint procurement procedure in accordance with Article 5 of Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health ⁽²⁾;
- to support concerted support actions coordinated by the Integrated Political Crisis Response Mechanism (IPCR), the European Commission or other Union institutions;
- to respond to the requests of assistance addressed to and handled by the UPCM (Union Civil Protection Mechanism), by third countries or international organisations;
- to support the statutory activities of support companies abroad that enjoy protection under the Geneva Convention, and in so far as they do not impair the ability to work as a national support company;
- to support the activities of the World Health Organisation's (WHO) Global Outbreak Alert & Response Network (GOARN);
- to supply foreign operations of EU Member States including, military operations, international police missions and/or civilian international peacekeeping missions;
- for the supply of EU and Member State delegations abroad.

4. Member States may decide to make use of electronic documents for the purpose of processing the applications for export authorisation.

Article 3

Final provisions

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union* and apply for a period of six weeks. It shall automatically cease to apply at the end of this six weeks period.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 March 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽²⁾ OJ L 293, 5.11.2013, p. 1.

ANNEX I

Protective Equipment

The equipment listed in this Annex is in conformity with the provisions of Regulation (EU) 2016/425 ⁽¹⁾.

Category	Description	CN Codes
Protective spectacles and visors	<ul style="list-style-type: none"> — Protection against potentially infectious material, — Encircling the eyes and surroundings, — Compatible with different models of filtering face-piece (FFP) masks and facial masks, — Transparent lens, — Reusable (can be cleaned and disinfected) or single-use items 	<ul style="list-style-type: none"> ex 9004 90 10 ex 9004 90 90
Face shields	<ul style="list-style-type: none"> — Equipment for the protection of the facial area and associated mucous membranes (ex: eyes, nose, mouth) against potentially infectious material, — Includes a visor of transparent material, — Usually includes fixations to secure over the face (e.g.: bands, temples) — Can include a mouth-nose protection equipment as described below, — Reusable (can be cleaned and disinfected) or disposable 	<ul style="list-style-type: none"> ex 3926 90 97 ex 9020 00 00
Mouth-nose-protection equipment	<ul style="list-style-type: none"> — Masks for the protection of the wearer against potentially infectious material and for the protection of the environment against potentially infectious material spread by the wearer, — Can include a face shield as described above, — Whether or not equipped with a replaceable filter 	<ul style="list-style-type: none"> ex 6307 90 98 ex 9020 00 00
Protective garments	Garment (e.g. gown, suit) for the protection of the wearer against potentially infectious material and for the protection of the environment against potentially infectious material spread by the wearer	<ul style="list-style-type: none"> ex 3926 20 00 ex 4015 90 00 ex 6113 00 ex 6114 ex 6210 10 10 6210 10 92 ex 6210 10 98 ex 6210 20 00 ex 6210 30 00 ex 6210 40 00 ex 6210 50 00 ex 6211 32 10 ex 6211 32 90 ex 6211 33 10 ex 6211 33 90 ex 6211 39 00 ex 6211 42 10 ex 6211 42 90 ex 6211 43 10 ex 6211 43 90 ex 6211 49 00 ex 9020 00 00

⁽¹⁾ Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC (OJ L 81, 31.3.2016, p. 51).

Category	Description	CN Codes
Gloves	Gloves for the protection of the wearer against potentially infectious material and for the protection of the environment against potentially infectious material spread by the wearer	ex 3926 20 00 4015 11 00 ex 4015 19 00 ex 6116 10 20 ex 6116 10 80 ex 6216 00 00

ANNEX II

Model for export authorisation forms referred to in Article 1

When granting export authorisations, Member States will strive to ensure the visibility of the nature of the authorisation on the form issued. This is an export authorisation valid in all Member States of the European Union until its expiry date.

EUROPEAN UNION		Export of personal protective equipment (Regulation (EU) 2020/402)		
1. Exporter (EORI number if applicable)		2. Authorisation number		3. Expiry date
4. Issuing authority		5. Destination country	6. Final recipient	
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods	
11. Location				
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods	
11. Location				
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods	
11. Location				
7. Commodity code	8. Quantity	9. Unit	10. Description of the goods	
11. Location				
12. Signature, place and date, stamp				

Explanatory notes to the export authorisation form

The completion of all the boxes is mandatory except when stated otherwise.

Boxes 7 to 11 are repeated 4 times to allow requesting an authorisation for 4 different products.

Box 1	Exporter	Full name and address of the exporter for whom the authorisation is issued + EORI number if applicable.
Box 2	Authorisation number	The authorisation number is completed by the authority issuing the export authorisation and has the following format: XXyyyy999999, where XX is the 2-letter geonomenclature code ⁽¹⁾ of the issuing Member State, yyyy is the 4-digit year of issuance of the authorisation, 999999 is a 6-digit number unique within XXyyyy and attributed by the issuing authority.
Box 3	Expiry date	The issuing authority can define an expiry date for the authorisation. This expiry date cannot be later than 6 weeks after the entry into force of this regulation. If no expiry date is defined by the issuing authority, the authorisation expires at the latest 6 weeks after the entry into force of this regulation.
Box 4	Issuing authority	Full name and address of the Member State authority that issued the export authorisation.
Box 5	Destination country	2-letter geonomenclature code of the country of destination of the goods for which the authorisation is issued.
Box 6	Final recipient	Full name and address of the final recipient of the goods, if known at the time of issuance + EORI number if applicable. If the final recipient is not known at the time of issuance, the field is left empty.
Box 7	Commodity code	The numerical code from the Harmonised System or the Combined Nomenclature ⁽²⁾ under which the goods to export are classified when the authorisation is issued.
Box 8	Quantity	The quantity of goods measured in the unit declared in box 9.
Box 9	Unit	The measurement unit in which the quantity declared in box 8 is expressed. The units to use are "P/ST" for goods counted by number of pieces (e.g. masks), and "PA" for goods counted by pairs (e.g. gloves).
Box 10	Description of the goods	Plain language description precise enough to allow identification the goods.
Box 11	Location	The geonomenclature code of the Member State where the goods are located. If the goods are located in the Member State of the issuing authority, this box must be left empty.
Box 12	Signature, stamp, place and date,	The signature and stamp of the issuing authority. The place and the date of issuance of the authorisation.

⁽¹⁾ Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7).

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).



Brussels, 16.3.2020
C(2020) 1753 final

COVID-19

Guidelines for border management measures to protect health and ensure the availability of goods and essential services

COVID-19

Guidelines for border management measures to protect health and ensure the availability of goods and essential services

The coronavirus crisis has highlighted the challenge of protecting the health of the population whilst avoiding disruptions to the free movement of persons, and the delivery of goods and essential services across Europe. The implementation of the Union's policies on checks of persons and goods should be governed by the principle of solidarity between the Member States.

In order to avoid shortages and avoid that the social and economic difficulties that all European countries are already experiencing worsen, maintaining the functioning of the Single Market is key. Member States should therefore not undertake measures that jeopardise the integrity of the Single Market for goods, in particular of supply chains, or engage in any unfair practices.

Member States must always admit their own citizens and residents, and facilitate transit of other EU citizens and residents that are returning home.

As regards measures linked to border management, coordination at EU level is key.

Therefore, these guidelines set out principles for an integrated approach to an effective border management to protect health while preserving the integrity of the Single Market.

I. Transport of goods and services

1. The **transport and mobility sector is essential to ensure economic continuity**. Collective and coordinated action is indispensable. **Emergency transport** services should have **priority** within the transport system (e.g. via 'green lanes').
2. **Control measures should not undermine the continuity of economic activity and should preserve the operation of supply chains**. Unobstructed transport of goods is crucial to maintain availability of goods, in particular of essential goods such as food supplies including livestock, vital medical and protective equipment and supplies. More generally, such measures should not cause serious disruption of supply chains, essential services of general interest and of national economies and the EU economy as a whole.
3. **Professional travel to ensure transport of goods and services should be enabled**. In that context, the **facilitation of safe movement** for transport workers, including truck and train drivers, pilots and aircrew, across internal and external borders, is a key factor to ensure adequate movement of goods and essential staff.
4. Where Member States impose restrictions to the transport of goods and passengers on grounds of public health, it should be done only if those restrictions are:

- a. Transparent, i.e. enshrined in public statements/documents;
 - b. Duly motivated, i.e. they need to spell out the reasons and the link to Covid-19. Justifications must be science-based and supported by World Health Organization (WHO) and European Centre for Disease Prevention (ECDC) recommendations;
 - c. Proportionate, i.e. not going beyond what is strictly necessary;
 - d. Relevant and mode-specific, i.e. restrictions on any of the different transport modes must be adapted to that mode; and
 - e. Non-discriminatory.
5. Any **planned transport-related restrictions should be notified** to the Commission and to all other Member States in a timely manner and, in any event, before they are implemented, without prejudice to the specific rules that apply to emergency measures in the aviation sector.

II. Supply of goods

6. Member States should **preserve the free circulation of all goods**. In particular, they should guarantee the **supply chain of essential products** such as medicines, medical equipment, essential and perishable food products and livestock. No restriction should be imposed on the circulation of goods in the Single Market, especially (but not limited to) essential, health-related and perishable goods, notably foodstuffs, unless duly justified. Member States should designate priority lanes for freight transport (e.g. via ‘green lanes’) and consider waiving existing weekend bans.
7. No additional certifications should be imposed on goods legally circulating within the EU single market. It should be noted that, according to the European Food Safety Authority, there is no evidence that food is a source or a transmission source of Covid-19¹.
8. Transport workers, especially but not only those delivering essential goods, should be able to circulate across borders as needed and their safety should in no way be compromised.
9. Member States should ensure constant provisioning to meet social needs, to avoid panic buying and the risk of dangerous overcrowding of shops, which will require proactive commitment from the entire supply chain.

¹ <https://efsa.europa.eu/en/news/coronavirus-no-evidence-food-source-or-transmission-route>

10. Specific transport nodes (e.g. ports, airports, logistics hubs) should be reinforced as needed.

III. Health-related measures

11. Appropriate measures need to be taken for people who are identified as posing a risk to public health from Covid-19. They should have **access to appropriate health care**, having regard to the prioritisation of different case profiles in national healthcare systems.
12. Based on best practices by health authorities in Member States, the following steps are recommended at **external borders**, as appropriate:
 - a. **Put in place entry screening measures** (primary² and secondary³) which aim at assessing the presence of symptoms and/or the exposure to Covid-19 of travellers arriving from affected areas or countries; completion of a Public Health Passenger Locator Form on board an aircraft, a ferry, a train or a bus arriving on a direct or indirect connection from an affected areas or countries; completion of Maritime Declaration of Health for all arriving ships, indicating all ports visited;
 - b. **Provide information materials** (leaflets, banners, posters, electronic slides, etc.) for distribution to travellers arriving from or departing to affected areas;
 - c. **Put in place exit screening measures**, which aim at assessing the presence of symptoms and/or the exposure to Covid-19 of travellers departing from affected countries. Travellers identified as exposed to, or infected with Covid-19 should not be allowed to travel;
 - d. **Isolation of suspected cases and transfer actual cases to a health care facility**. The authorities on both sides of the border should agree on the appropriate handling of cases of people considered as posing a public health risk such as further tests, isolation or quarantine and health care – either in the country of arrival or by agreement in the country of departure.
13. For these checks to be effective, the following constitute good practices:
 - a. Establish standard operating procedures and ensure sufficient numbers of staff trained accordingly;
 - b. Provide protective equipment for healthcare workers and non-health care workers; and

² Primary screening includes an initial assessment by personnel, who may not necessarily have medical training. Activities include visual observation of travellers for signs of the infectious disease, measurement of travellers' body temperature, and completion of a questionnaire by travellers asking for presence of symptoms and/or exposure to the infectious agent

³ Secondary screening should be carried out by personnel with medical training. It includes an in depth interview, a focused medical and laboratory examination and second temperature measurement

- c. Provide up-to-date information for health staff and other relevant staff at points of entry such as security, police, customs, port state control, harbour pilots and cleaning services.

Most of these measures are to be taken by or under the control of health authorities. Border authorities play an essential supportive role including by providing information to passengers and by referring cases of concern immediately to the relevant health services.

IV. External borders

14. **All persons, EU and non-EU nationals, who cross the external borders to enter the Schengen area are subject to systematic checks at border crossing points.** Border checks may include health checks as set out in Section III.
15. **Member States have the possibility to refuse entry** to non-resident third country nationals where they present relevant symptoms or have been particularly exposed to risk of infection and are considered to be a threat to public health.
16. Alternative measures to a refusal of entry such as isolation or quarantine may be applied where they are considered to be more effective.
17. **Any decision on refusal of entry needs to be proportionate and non-discriminatory.** A measure is considered proportionate on condition that it has been taken following consultation of the health authorities and that it has been considered by them as suitable and necessary to attain the public health objective.

V. Internal borders

18. Member States may **reintroduce temporary border controls at internal borders if justified for reasons of public policy or internal security.** In an extremely critical situation, a Member State can identify a need to reintroduce border controls as a reaction to the risk posed by a contagious disease. Member States must notify the reintroduction of border controls in accordance with the Schengen Borders Code.
19. Such controls should be applied in a proportionate manner and with due regard to the **health of the individuals** concerned. Persons who are clearly sick should not be refused entry but appropriate measures should be taken as indicated in point 11.
20. The conduct of health checks of all persons entering the territory of Member States does not require the formal introduction of internal border controls.
21. For EU citizens, the safeguards laid down in the Free Movement Directive must be guaranteed. In particular, **non-discrimination** between Member States' own nationals and resident EU-citizens must be ensured. A Member State must not deny entry to EU

citizens or third-country nationals residing on its territory and must facilitate transit of other EU citizens and residents that are returning home. Member States can, however, take appropriate measures such as requiring persons entering their territory to undergo self-isolation or similar measures upon return from an area affected by Covid-19 provided they impose the same requirements on their own nationals.

22. Border controls, if introduced at internal borders, should be organised in a way that prevents the emergence of large gatherings (e.g. queues), which risk increasing the spread of the virus.
23. Member States should permit and facilitate the crossing of frontier workers, in particular but not only those working in the health care and food sector, and other essential services (e.g. child care, elderly care, critical staff for utilities) to ensure continued professional activity.
24. Member States should coordinate to carry out health screening on one side of the border only to avoid overlaps and waiting times.
25. Member States, and in particular neighbouring Member States, should closely cooperate and coordinate at EU level to ensure effectiveness and proportionality of the measures taken.



17th March 2020

Advisory Procedures to Shipping Lines/Agents on Coronavirus (COVID-19) for the Port of Mombasa

We wish to assure our customers that following the outbreak of Coronavirus (COVID-19), which the World Health Organization declared a pandemic, we have put in place measures to protect port users.

As we undertake these COVID-19 preparedness initiatives, we have made deliberate efforts to ensure that our operations and services are not interrupted. Further to these, there has not been any vessel that has been denied entry at the Port of Mombasa.

Kenya Ports Authority (KPA) wishes to clarify to the shipping lines/agents that in addition to the procedures on preparedness for COVID -19 circulated on 8th February 2020, all vessels coming from high risk countries will be inspected at the quayside. The following declarations MUST be submitted to Port Health office - Kilindini Sea Port Mombasa, via email phealthkil@yahoo.com within 48 hours before notice of readiness/arrival (NOR).

- Maritime Declaration of health form
- Crew list
- Voyage memo (last ten ports)
- Valid ship control/exemption certificate.

All ships will commence operations after issuance of Certificate of Free Pratique, and access to restricted areas/ships' accommodation deck will not be allowed to any unauthorized persons.

We, therefore urge the shipping lines/agents on behalf of their principals to adhere to the agreed port guidelines on COVID-19 preparedness and advise ship masters accordingly.

KPA, on its part, will continue planning for scheduled vessels, provide the usual online services while engaging the Kenya Revenue Authority (KRA), transit markets and other agencies on how to effect online clearance processes for ships.

Dr. Arch. Daniel O. Manduku
MANAGING DIRECTOR